

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS**

**PETER LEGEMAATE**  
*Plaintiff*

v.

**LIBERTY MARITIME CORPORATION**  
*Defendant*

\* **CIVIL ACTION**  
\*  
\* **CASE NO. \_\_\_\_\_**  
\*  
\* **SECTION \_\_\_\_**  
\*  
\* **HON. JUDGE \_\_\_\_\_**  
\*  
\* **MAGISTRATE JUDGE \_\_\_\_\_**

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**PLAINTIFF'S COMPLAINT FOR DAMAGES**

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NOW INTO COURT, through undersigned counsel comes Plaintiff, PETER LEGEMAATE, who files his Complaint against Defendant, LIBERTY MARITIME CORPORATION, and in support thereof, would show unto this Honorable Court the following:

**PARTIES**

1.

Named Plaintiff herein is PETER LEGEMAATE, a person of majority age, and residing in St. Tammany Parish, Louisiana.

2.

Named Defendant herein is LIBERTY MARITIME CORPORATION, a foreign corporation located at 1979 Marcus Ave., Ste. 200, Lake Success, New York 11042, authorized to do and doing business in the State of Texas and within the jurisdiction of this Honorable Court.

**JURISDICTION AND VENUE**

3.

This Honorable Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1332 and the General Maritime Law of the United States.

4.

Venue is proper in this Court pursuant to 28 U.S.C. § 1391 (b)(2).

5.

Defendant is truly and justly indebted to Plaintiff herein for any and all damages sustained as a result of an incident that occurred while Plaintiff was working as a cargo surveyor on board the M/V LIBERTY GLORY (IMO #9228136) on July 18, 2021.

**FACTS**

6.

Plaintiff was the owner of a cargo surveying company, USFGIS, LLC at all times material to this lawsuit.

7.

At all times material to this lawsuit, the M/V LIBERTY GLORY was a 623.32-foot, U.S.-flagged bulk carrier owned and operated by Defendant, LIBERTY MARITIME CORPORATION.

8.

On July 18, 2021, the M/V LIBERTY GLORY was a vessel in navigable waters anchored at Cargill Houston's grain facilities in Houston, Texas. While in port, the vessel was being loaded with commodity grain and/or wheat cargos for further transport to Sudan. As a general requirement of his work, Plaintiff would inspect grain cargos to ensure they conformed to the kind and quality of goods described in any related bills of lading. Despite inclement weather and above Plaintiff's objections to same, Plaintiff was forced to inspect the grain cargos in unsafe conditions. While Plaintiff was in the process of inspecting M/V LIBERTY GLORY Cargo Hold No. 5, he slipped on a foreign substance located on one of the steps on the exterior of the hold.

9.

As a result of the incident described herein, Plaintiff suffered severe and permanently debilitating injuries for which he sought medical care and treatment, including surgical intervention.

### **NEGLIGENCE CAUSE OF ACTION**

10.

Plaintiff brings this negligence cause of action against Defendant, LIBERTY MARITIME CORPORATION, as the owner and operator of the M/V LIBERTY GLORY, pursuant to the General Maritime Law of the United States and, alternatively, 33 U.S.C. § 905(b).

11.

The incident described herein and resulting severe and permanently disabling injuries to Plaintiff were caused by the negligence of Defendant, LIBERTY MARITIME CORPORATION,

in failing to provide Plaintiff with a safe workplace, failing to require the Master and crew to hold a pre-task safety assessment meeting, and ordering Plaintiff to conduct a task without regard for his safety and without proper assessment for the attendant risks involved.

### **DAMAGES**

12.

As a direct and proximate result of the occurrence alleged, Plaintiff sustained severe and painful injuries to his body and mind, and shock and injury to his nervous system and person, all of which injuries have caused and continue to cause great physical and emotional pain and suffering. In connection therewith, Plaintiff would show that he has sustained severe pain, physical impairment, discomfort, mental anguish, and distress to date. Plaintiff is informed and believes and alleges that, in all reasonable probability, some or all of said injuries will result in permanent damage, disability, and pain and suffering, causing general damages in an amount to be determined at trial. Moreover, Plaintiff has suffered a loss of earnings in the past, as well as a loss of future earning capacity. Furthermore, he has incurred and will incur pharmaceutical and medical expenses in connection with said injuries. By reason of the foregoing, Plaintiff would show that he has been damaged in a sum to be determined at trial far in excess of the minimum jurisdictional limits of this Honorable Court, for which amount he comes now and sues.

13.

By reason of the foregoing premises and as a legal result thereof, Plaintiff has in the past and/or will in the future be caused to suffer the following described injuries and/or losses, for which Defendant, LIBERTY MARITIME CORPORATION, is liable to Plaintiff:

- a) Reasonable and necessary medical expenses in the past and in the future;

- b) Physical pain and suffering in the past and in the future;
- c) Mental anguish in the past and in the future;
- d) Loss of earning capacity in the past and in the future;
- e) Physical disfigurement in the past and in the future; and,
- f) Physical impairment in the past and in the future.

14.

**JURY DEMAND**

Plaintiff hereby requests a jury trial on all issues raised herein.

15.

**PRAYER**

WHEREFORE, after due proceedings had, Plaintiff, PETER LEGEMAATE, prays that Defendant, LIBERTY MARITIME CORPORATION, be cited to appear and answer herein in a form and manner prescribed by law, and after jury trial of the merits of this cause, Plaintiff have judgment against Defendants LIBERTY MARITIME CORPORATION, in a total sum in excess of the minimum jurisdictional limits of this Court, plus pre-judgment and post-judgment interest at the maximum legal rates, all costs of Court, and all such other and further relief, be it general or special, at law or in equity, to which Plaintiff must show himself justly entitled.

[SIGNATURES ON THE FOLLOWING PAGE]

Respectfully submitted,

**HUBER THOMAS, LLP**

A handwritten signature in blue ink, appearing to read "Charles Thomas", is positioned above a horizontal line.

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